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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:13-cr-323-JCM-PAL
)	
)	
Plaintiff,)	
)	
vs.)	
)	
DONALD EUGENE WALTERS, JR.,)	
)	
Defendant.)	
)	

STIPULATION TO CONTINUE SENTENCING HEARING

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Todd M. Leventhal, Esq., counsel for Defendant DONALD EUGENE WALTERS, JR., that the sentencing hearing for the above-captioned matter, currently scheduled for May 13, 2015, at the hour of 10:30 a.m., be vacated and continued to a date and time convenient for this Court, but in no event earlier than seven (7) days.

This stipulation is entered for the following reasons:

1. Undersigned counsel for the Government will be out of the office on May 13, 2015, and will instead be volunteering as a chaperone at a local elementary school during the school day.

1 2. There are contested issues pertaining to sentencing in this matter which may
2 require the Government to call the case agent(s) as a witness during the sentencing hearing. One
3 of the case agents will be out of the office from May 13 – 17, 2015 attending his daughter's
4 college graduation ceremonies.

5 3. Undersigned counsel for the Government respectfully requests the Court to
6 continue the sentencing for one (1) week so that the undersigned may be present (to maintain
7 continuity of Government counsel) and for both case agents to be present if necessary.

8 4. The Defendant is in custody, and does not object to the continuance.

9 5. Denial of this request for a continuance of the sentencing hearing would likely
10 prejudice the Government.

11 6. Additionally, denial of this request for continuance could result in a miscarriage
12 of justice.

13 7. This is the third stipulation filed herein to continue the instant sentencing hearing.

14 DATED: May 7, 2015.

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16 _____/s/_____
17 PHILLIP N. SMITH, JR.
18 Assistant United States Attorney
19 Counsel for the United States
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_____/s/_____
TODD M. LEVENTHAL, ESQ.
Counsel for Defendant DONALD WALTERS, JR.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:13-cr-323-JCM-PAL
)	
)	ORDER CONTINUING
Plaintiff,)	SENTENCING HEARING
)	
vs.)	
)	
DONALD EUGENE WALTERS , JR.)	
)	
Defendant.)	
_____)	

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS HEREBY ORDERED**, that the sentencing hearing in the above-captioned matter, currently scheduled for May 13, 2015, at the hour of 10:30 a.m., be vacated and continued to May 27, 2015, at 10:30 a.m.

DATED May 7, 2015.



UNITED STATES DISTRICT JUDGE